

STATE PROPERTIES COMMITTEE MEETING

TUESDAY, MAY 8, 2012

The meeting of the State Properties Committee was called to order at 10:05 a.m. by Chairman Ronald N. Renaud. Attendance of the members was taken by roll call and the following members made their presence known: Robert K. Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Andrew Marcaccio representing the Rhode Island Office of the General Treasurer, Ex-Officio Member. Others in attendance were Anthony Robinson from the State of Rhode Island General Assembly; Kelly Carpenter from the Rhode Island Senate Fiscal Office; Richard Kalunian, Colleen Kerr, Paul Carcieri, Robert Jackson and Eva Bernardo from the Rhode Island Department of Transportation; John Faltus, Richard Bianculli, Jr., and Michelle Sheehan from the Rhode Island Department of Environmental Management; Michael D. Mitchell and Marco Schiappa from the Rhode Island Department of Administration; Joseph da Silva and Sherri Lynn Carrera from the Rhode Island Economic Development Corporation; Kenneth Burke and Romeo Mendes from the Rhode Island Resources Board; Rick Baccus from the Rhode Island Department of Human Services/Bristol Veterans Home; Brian Peterson from the Coventry Girls Softball League; Steven Feinberg from the Rhode Island Office of Film and Television; John Santilli from Backmask Productions, LLC; and Larry Wiedenoeft from Life, Inc.

Chairman Renuad stated for the record that the State Properties Committee did have a quorum present.

A motion was made to allow the Water Resources Board to present Item H out of sequence by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM H – Water Resources Board – A request was made for approval of an easement to allow National Grid to install utility poles on State-owned property currently leased by the Coventry Softball Association (the “CSA”) as the existing Lease Agreement allows for lights and a concession stand. Mr. Peterson noted that he appreciated the Committee’s indulgence in allowing this matter to be heard out of sequence. Mr. Peterson stated that the existing Lease Agreement, previously approved by the State Properties Committee, contemplated certain facilities on the site including a concession stand. The CSA is simply seeking the Committee’s approval to grant an easement to National Grid for the installation of utility poles to provide electrical services for CSA’s use. Chairman Renaud asked if there are any existing neighbors in the immediate vicinity of the easement area. Mr. Peterson indicated that there is a golf course across the street from the softball field. Mr. Peterson stated that National Grid will not install the utility poles on State-owned property without the appropriate Grant of Easement Agreement in place from the State. Mr. Peterson indicated that obviously CSA, as the lease holder, does not have authority to grant said utility easement. A motion to approve was made by Mr. Griffith and seconded by Mr.

Woolley.

Passed Unanimously ITEM A – Department of Labor and Training – A request for approval of and signatures on a License Agreement, by and between Kimco Realty Corporation and the Department of Labor and Training for use of approximately fifty (50) parking spaces located at Mashpaug Commons, Adelaide Avenue and Reservoir Avenue in the City of Providence. Item A is withdrawn from the State Properties Committee Agenda at the request of the Department of Labor and Training.

ITEM B– Rhode Island Judiciary – A request for final approval of the Lease Agreement, by and between 56 Associates, LP and the Rhode Island Judiciary for the premises located at 450 Main Street in the City of Pawtucket. Additionally, subject to said approval the Judiciary requests that the Chairman of the State Properties Committee forward correspondence to the General Assembly seeking its approval of the subject Lease Agreement. Item is deferred to a future meeting of the State Properties Committee at the request of the Rhode Island Judiciary.

ITEM C – Department of Human Services – A request was made for final approval of a Lease Agreement, by and between the Department of Human Services and Life Inc. for space located adjacent to the North Building entrance at the Rhode Island Veterans Home, 450 Metacom Avenue in the Town of Bristol. General Baccus explained that approximately three (3) years ago, the Office of Rehabilitative Services (the “ORS”) developed a Coffee Plus PX area within the North Building in the hopes of finding a blind veteran vendor to

permanently takeover operation of the business. Unfortunately, ORS was unable to locate such a person and ceased operation of said business. General Baccus indicated that at this time, the Department is proposing that LIFE, Inc. be allowed to lease the premises and operate the PX. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM D – Department of Education – A request was made for approval to lease 5,000 square feet of available space within the Rhode Island School for the Deaf located at 1 Corliss Place in the City of Providence. Mr. da Silva explained that the Department wishes to lease the available space to a comparable and aligned programmatic tenant. Mr. da Silva indicated that no renovations of the premises are associated with the proposed lease. The Department will solicit bids from interested parties via a Request for Proposals (“RFP”). Chairman Renaud explained that in accordance with the standard Request for Proposal process, the Committee will consider granting the Department conceptual approval to issue an RFP today and subject to said approval, the Department shall be allowed to issue an RFP. The Department shall then review the responses and select a successful proposal based upon the criterion of the RFP. However, the Department must return to the Committee with the results of the RFP and provide information regarding the basis upon which it selected the potential tenant. Lastly, after lease negotiations between the Department and the potential tenant have concluded and a final lease agreement has been prepared, the Department must, once

again, return to the Committee seeking final approval of said lease agreement. Mr. da Silva indicated that he understood the process and would see to it that the Department proceeded accordingly. Mr. Griffith asked if an RFP has been drafted yet. Mr. da Silva indicated that the Department has not yet drafted the RFP and is hoping to secure a similar RFP that can be revised to suit the specifications of this lease. Mr. Griffith suggested that as the Department has indicated it is not entirely familiar with how to prepare an RFP, he believes it would be prudent for the Committee to review the RFP prior to it being issued. Mr. da Silva stated that the Department will return to the Committee with the proposed RFP prior to advertising the same. A motion to grant the Department of Education's request for conceptual approval to prepare a Request for Proposals with the understanding that the State Properties Committee shall have the opportunity to review the same prior to its issuance was made by Mr. Woolley. Said motion was seconded by Mr. Griffith.

Passed Unanimously

ITEM E – Water Resources Board – A request was made for approval to allow the Department of Environmental Management and the University of Rhode Island to utilize isolated sites located within the Big River Management Area for soil evaluator training and testing. Mr. Burke stated that both the Land Use Board and Technical Committee approved the WRB's request to partner with the Department of Environmental Management and the University of Rhode Island to conduct limited soil evaluations as part of an outside wastewater treatment facility course offered to students. Mr. Burke

indicated that this is the first time the Big River Management Area has been utilized for this purpose, although in previous years this sort of testing and training has been conducted throughout the State. Mr. Burke stated that last night the Water Resources Board received notification from Ted Sanderson of the Rhode Island Historical Preservation and Heritage Commission (the "RIHPHC") expressing concerns regarding the specific locations of the test pits sites. Mr. Burke then asked Mr. Sanderson if one of his archeologists were invited to participate in the actual site selection process if this would alleviate his concerns. Mr. Sanderson agreed and recommended that Mr. Burke request that the State Properties Committee grant approval of this item conditioned upon a member of the RIHPHC's staff participating in the site selection process. Mr. Woolley asked if the University of Rhode Island has secured appropriate insurance coverage including coverage for any and all students while at the test sites. Mr. Burke explained that in addition to securing sufficient insurance coverage, the Board will require that all individuals participating in the evaluation and/or testing sign a waiver and release. Mr. Burke indicated that a copy of said waiver was included in the package submitted to the State Properties Committee. A motion was made to approve by Mr. Woolley subject to a member of the RIHPHC's staff being allowed to accompany the Board and participate in the site selection process. Said motion was seconded by Mr. Griffith.

Passed Unanimously

Under discussion Chairman Renaud requested that prior to the

commencement of said evaluations and testing that correspondence from RIHPHC be submitted to the Committee evidencing that RIHPHC has been invited to participate in the in the site selection process.

ITEM F – Water Resources Board – A request was made for approval of and signatures on a License Agreement, by and between the Water Resources Board (the “Board”) and Rhody Rovers Motorcycle Club (the “Club”) to allow the Club to utilize a portion (Trail System) of the Big River Management Area (the “BRMA”) property for two (2) fund raising events; the Enduro Ride to be held on Sunday, May 20, 2012, and the Turkey Ride to be held on Saturday, July 14, 2012. Mr. Burke noted that the WRB’s Land Use Board and Technical Committee granted unanimous approval of the subject request. Mr. Burke indicated that this is a frequent request received from the Club. The Club has been a long standing good steward of the BRMA and often hosts fund raising events for the local fire and school departments. The WRB has worked closely with in-house legal counsel to address concerns regarding the extent and sufficiency of the Clubs insurance coverage and after a thorough review, the same has been deemed appropriate. Mr. Griffith asked if the RIHPHC has expressed an interest in participating in the selection process of the sites the applicant will be allowed to utilize relative to this request. Mr. Burke indicated that the RIHPHC has not expressed any interest or concerns relative to this particular request. Mr. Burke noted that the network of trails is extensive and the Club regularly licenses a well defined portion of the trail system once or twice per year for various events. Mr. Burke indicated that WRB staff works with the Club to

assess weather and trail conditions to ensure that the trails are not damaged and that the participants are safe during these events. Mr. Burke stated that within hours of any past events, the licensed area has been restored to its previous condition by the Club. Chairman Renaud asked what happens if there are heavy rains just prior to a scheduled event. Mr. Burke indicated that the Board does not allow use of the trails if they are either too damp or too dry. Mr. Woolley asked if the members of the club are required to sign a Release and Covenant form. Mr. Burke stated that he is not entirely sure whether said release is executed by the members. Mr. Woolley stated that it would be prudent to require all participants to sign the release form. Mr. Burke assured the Committee that the Board would facilitate the signing of said form by all participants. A motion was made to approve, subject to the participants executing the aforementioned release prior to the event, by Mr. Woolley. Said motion was seconded by Mr. Griffith.

Passed Unanimously

ITEM G – Water Resources Board – A request was made for approval of and signatures on a Purchase and Sale Agreement and Warranty Deed, by and between Martha L. Links and the Water Resources Board for the acquisition of 4.66 acres of land located along Sands Pond Road in the Town of New Shoreham; and approval of and signatures on Conservation Easements 0.33 acres of land located along Sands Pond Road in the Town of New Shoreham; and conceptual approval of a Ground Lease, by and between the Town of

New Shoreham and the Water Resources Board to allow the Board to use the aforementioned sites as a public water supply. Mr. Burke stated that the Water Resources Board is charged with the development of well water sites throughout South County and Block Island. Mr. Burke indicated that he appeared before the Committee over two (2) years ago requesting authorization to negotiate with up to twenty (20) individual property owners. One of those property owners was Mrs. Links whose property is at the epicenter of the proposed well head before the Committee today. Mr. Burke stated that the funding for the acquisition of the sites and related easements will come from two (2) separate general obligation bonds, which date back to 2000 and 2004. Said bonds will provide a total of approximately \$8 million dollars. Mr. Burke explained that the purpose of this program is to assist local water suppliers in acquiring property to adequately serve area residents. Mr. Burke noted that many local water suppliers often struggle with the agendas of private property owners and other competing interests when seeking to purchase property suitable for well heads. Mr. Burke explained that once obtaining authorization to access the subject property, the Board commenced its due diligence process in 2009. Said process began with the mobilization of engineering forces and well drillers commissioned to conduct a site investigation that continued throughout the course of that winter. Mr. Burke indicated that the investigation verified the existence of both sufficient water quality and quantity on the site. Mr. Burke presented a site map for the Committee's review. Mr. Burke noted that the Town assisted the

Board in identifying this site based primarily on its close proximity to the Town's water treatment facility. He noted that the subject property is one of the last remaining open space properties situated near said facility. The Town is also committed to working with the Water Resources Board to secure this site, because of its superior well head protection system. Mr. Burke explained that after completing the water quality and quantity analysis, the Board conducted a Phase I environmental analysis and then commenced negotiations to purchase the property based upon an appraisal commissioned by the Board. Mr. Burke noted that the property owner agrees that the appraised value of the site is fair and equitable. The parties further discussed the possibility of any environmental conditions associated with the site. Mr. Burke stated that from its inception to its conclusion, this process has taken two and a half years; however, the Board is now ready to proceed with the acquisition of the property subject to the Committee's approval. Mr. Burke explained that in addition to the Links property, the Board is also seeking permission to acquire easements over three surrounding properties owned by The Nature Conservancy. Mr. Burke explained that although these properties would ordinarily be preserved with conservation easements, the Department of Health requires more restrictive "water supply" easements over said properties. Mr. Burke stated that The Nature Conservancy is completely amenable to granting easements over these properties as they understand the importance of the Town acquiring this site. This acquisition is also beneficial in that it will link together other

properties owned by The Nature Conservancy, creating a succession of protected properties for the residents of Block Island. This has been a long standing priority for The Nature Conservancy. Mr. Burke explained that these three (3) properties together provide a sufficient protective radius for the wellhead in accordance with the requirements of the Department of Health. Mr. Burke indicated that the third and final component of this presentation involves conceptual approval of a ground lease. The ground lease will allow the Town to construct/install a pipeline (and utility lines) essential for the construction of a small pump station which will procure water from the wellhead and transport it to the Town's residents. The Board will return to the Committee with a final ground lease once the Town has secured the funding and approvals necessary to develop the subject property as a water supply source. Mr. Burke noted that yesterday he received correspondence from Ted Sanderson of the Rhode Island Historical, Preservation and Heritage Commission requesting that he be granted consideration to assess the subject acquisition as it pertains to certain historical cultural sites located off Sands Pond Road. Said sites are not part of the subject property; however, due to their close proximity to the Links parcel, Mr. Sanderson suspects the pipeline will likely run through these properties. During a conversation with Mr. Sanderson, he suggested that the State Properties Committee could grant conceptual approval of the ground lease, subject to his assessment of the work necessary to construct a pipeline from the wellhead to the Town's treatment facility and what impact it may have on the aforementioned historical

cultural sites. Mr. Burke indicated that he assured Mr. Sanderson that both the Board and the Town would cooperate in providing any information and/or documents for his review and consideration. A motion to approve was made by Mr. Woolley for the acquisition of the Links parcel and the necessary conservation easements over properties owned by The Nature Conservancy as well as conceptual approval of the ground lease, with the understanding that said lease will not exceed a term of twenty (20) years and that the Board will coordinate with Mr. Sanderson of the Historical, Preservation and Heritage Commission regarding certain historical cultural site located near the Links parcel. Woolley. Said motion was seconded by Mr. Griffith.

Passed Unanimously

ITEM I – Department of Administration – A request was made for approval of and signatures on a Film License Agreement, by and between the Department of Administration and BackMask, LLC for use of a portion of the Ladd Center property in the Town of Exeter. Mr. Feinberg explained that BackMask, LLC is specifically requesting use of Building No. 22 known as the Howe Building, Warehouse No. 1 and Warehouse No. 2. Mr. Feinberg stated that the John Santilli has executed the License Agreement on behalf of BackMask, LLC and wishes to commence use of the property forthwith until July 15, 2012.

Mr. Feinberg indicated that at the request of the Department of Administration's Legal Office, there will be no mention of the Ladd Center as part of the film's dialogue, credits nor shall any signage identifying the Ladd Center appear throughout the film. BackMask,

LLC has submitted a deposit check in the amount of \$10,000.00 and has tendered a check in the amount of \$2,000.00 representing payment of the usage fee. Mr. Feinberg indicated that the State Fire Marshal's Office has approved BackMask's intended use of the property and buildings. Mr. Schiappa explained that one of the buildings BackMask intends to utilize during filming is vacant and has been secured by the State to prevent public entry. After observing said building, the Fire Marshal made very specific recommendations to ensure that a safe environment is maintained at all times when the structure is occupied for filming and/or other purposes. BackMask has agreed to address all recommendations and requests made by the State Fire Marshall. Mr. Schiappa indicated that the other two buildings are already equipped with active fire alarm systems. Further, Mr. Schiappa explained that as the National Guard previously secured approval to utilize portions of the Ladd Center property commencing on or about June 28, 2012, he has made it abundantly clear that BackMask must conclude filming by June 25, 2012, to ensure there will not be any conflict with the National Guard's use of the property. Chairman Renaud asked when construction for the National Guard's project will commence. Mr. Schiappa indicated that the National Guard intends to arrive and commence construction on June 28, 2012. Chairman Renaud reiterated Mr. Schiappa's directive that BackMask must conclude filming, restore and vacate the property well in advance of the National Guard's arrival. Chairman Renaud indicated that due to the sheer magnitude and importance of the National Guard's exercise, it

is his opinion that it shall take precedence over all other activities at the Ladd Center. Mr. Woolley asked that the State Properties Committee be provided with a completed Certificate of Disclosure. Mr. Feinberg assured he would submit the same to the Committee as soon as possible. Mr. Feinberg indicated that the Certificate of Insurance for BackMask will be arriving later this afternoon. A motion to approve, subject to the submission of a Certificate of Disclosure, the Certificate of Insurance and any and all other requirements of the Film License Agreement, was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM J – Department of Environmental Management – A request was made for approval of and signatures on a Conservation Easement form the Town of Tiverton to the Department of Environmental Management over twenty-two (22) acres of land located along Thomas Street in the Town of Tiverton; known as the Baier Property. Ms. Sheehan explained that the Town of Tiverton received an Open Space Grant Award in 2011, and in exchange for said grant totaling \$72,500.00, the Town shall grant a Conservation Easement to the Department of Environmental Management. Ms. Sheehan noted that the subject property abuts some very significant conservation areas and this Conservation Easement will serve to add a large forest block of conserved property. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM K – Department of Environmental Management – A request was

made for approval of and signatures on a Deed to Development Rights for the acquisition of Development Rights over approximately sixty-eight (68) acres of land located along Cucumber Hill Road in the Town of Foster; known as the Cucumber Hill Farm Property. Ms. Sheehan explained that the Federal Highway Enhancement Program is the primary funding source; however, the Agricultural Land Preservation Committee is contributing \$80,000.00 toward said acquisition. Ms. Sheehan noted that the subject property has been extensively improved by the present owner from the former failing dairy farm it once was. Ms. Sheehan noted that for an investment of \$80,000.00, the State will be protecting and preserving nearly seventy (70) acres of pristine farm land. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM L – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement with Authorization to Serve Alcoholic Beverages, by and the between, the Department of Environmental Management and the Fort Adams Trust (the “Trust”) to allow the Trust to hold various functions and events at Fort Adams State Park during the 2012 Season. Mr. Faltus explained that this is the first of four (4) License Agreements being presented today. Mr. Faltus noted that the Agreement includes some open dates in the event the Trust receives additional requests for permission to hold other functions during the term of the License Agreement. Mr. Faltus noted that the Certificate of Insurance evidences coverage through January 1, 2013, and includes host

liquor liability insurance coverage. Mr. Faltus provided a detailed explanation concerning the purpose and convenience of the “open date” process to the Committee. The Committee asked that Mr. Faltus provide the Committee with copies of any open date requests approved by the Department. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM M – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement with Authorization to Serve Alcoholic Beverages, by and the between the Department of Environmental Management and the Newport Rugby Club (the “Club”) to allow the Club to hold various functions and events at Fort Adams State Park during the 2012 Season. Mr. Faltus noted that this License Agreement is an annual request as well. The Club has held numerous tournaments at Fort Adams State Park. Mr. Faltus noted that this year the Club has requested approval of only one event so there are several open dates being extended to the Club to accommodate any request that may arrive later in the season. Mr. Faltus explained that the Department currently has the Club’s Certificate of Insurance, which remains in full force and effect until September 2012. However, as the Committee has previously allowed, the Club is seeking approval of this License Agreement, subject to the submission of a certificate of insurance evidencing host liquor liability insurance coverage. A motion was made by Mr. Griffith subject to the submission of a certificate of insurance evidencing host liquor liability insurance coverage. Said motion was seconded

by Mr. Woolley.

Passed Unanimously

ITEM N –Department of Environmental Management – A request was made for approval of and signatures on a License Agreement with Authorization to Serve Alcoholic Beverages by and the between Department of Environmental Management and Sail Newport to allow Sail Newport to hold various functions and events at Fort Adams State Park during the 2012 Season. A motion was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM O – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement with Authorization to Serve Alcoholic Beverages by and the between Department of Environmental Management and the Museum of Yachting (the “Museum”) to allow the Museum to hold various functions and events at Fort Adams State Park during the 2012 Season. A motion to approve was made by Mr. Griffith, subject to the submission of a certificate of insurance evidencing all required insurance coverage. Said motion was seconded by Mr. Woolley.

Passed Unanimously

Under discussion, Chairman Renaud inquired whether the Department has given sufficient consideration to the upcoming America’s Cup World Series and scheduled other events accordingly to avoid any undue interference with the same. Mr. Faltus stated that all of these organizations are fully cooperating to ensure the

uninterrupted success of the America's Cup World Series Event.

ITEM P – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement with Authorization to Serve Alcoholic Beverages by and the between Department of Environmental Management and the Rhode Island Economic Development Corporation (the "RIEDC") to allow RIEDC to host the America's Cup Welcome Reception on Friday, June 8, 2012. Mr. Faltus explained that he asked Sherri Lynn Carrera of the Rhode Island Economic Development Corporation to be here today to explain the issues concerning insurance coverage for this event. Mr. Faltus indicated that EDC is unsure as to whether liability and host liquor liability insurance coverage is in place for this event as of yet. Ms. Carrera indicated that the caterer was just chosen last week; however EDC's insurance agent, Babcock and Helliwell, is making every attempt to contact the caterer, Glorious Affairs, in order to ensure that the proper liability and host liquor liability insurance coverage has been secured well in advance of the reception. A motion to approve was made subject to the submission of a certificate of insurance evidencing that liability and host liquor liability insurance coverage has been secured for the reception scheduled for Friday, June 8, 2012, by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM Q – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement, by and between the Department and New Cingular Wireless, PCS, LLC

(“Cingular”) for non-exclusive use of space at Fort Adams State Park for purposes of installing temporary cellular telephone and WiFi transmitting and receiving equipment. Mr. Bianculli explained that the purpose of the License Agreement is to allow the applicant to install the necessary equipment to enhance the cellular and WiFi communication capabilities at Fort Adams State Park during the America’s Cup event. Mr. Bianculli noted that the attached Exhibit B illustrates the proposed locations of the additional towers which are approximately eight feet high. Mr. Bianculli noted that Cingular’s certificate of insurance will expire on June 1, 2012, and respectfully requested that the Committee approve this License Agreement, subject to the submission of a renewal certificate of insurance. Chairman Renaud asked when the towers will be installed. Mr. Bianculli stated that the towers will be installed by June 1, 2012. The towers will remain on the site throughout the America’s World Cup Series and be removed on or about October 7, 2012. Mr. Griffith asked whether Cingular’s installation of additional equipment will interfere with any of the other activities which require the erection of support structures. Mr. Bianculli indicated that the License Agreement contains a provision stipulating that during the installation period staff from both Fort Adams State Park and the Department of Environmental Management must be present to supervise the installation to ensure that there is no interference. Mr. Woolley asked whether the installation of the equipment will interfere with the other providers’ communication network systems. Mr. Bianculli stated that to the best of the Department’s knowledge said

equipment will not interfere with other communication network systems. Chairman Renaud stated that the existence of this additional equipment at Fort Adams beyond the America's Cup World Series may give the impression that Cingular received preferential treatment in terms of being allowed to erect equipment within the park without having to go through the standard competitive process. Mr. Faltus agreed and stated that is why the arrangement is temporary and why the equipment must be removed by October 7, 2012. Mr. Faltus noted that the License Agreement contains a provision concerning the payment of fees, which provide for compensation to the Department in the amount of \$2,500.00, with an additional fee of \$15,000.00 to the Fort Adams Trust. Mr. Bianculli indicated that this item was originally submitted to the Department by the Rhode Island Economic Development Corporation (the "EDC") and these towers are being installed at EDC's request. Mr. Woolley asked whether Cingular's use of the property is non-exclusive. Mr. Bianculli stated that is correct. Chairman Renaud recommended that if for any reason Cingular should request use of the property beyond October 7, 2012, the Department should conduct extremely thorough due diligence prior to allowing any extension of the term. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM R – Department of Transportation – A request was made for approval of and signatures on a Temporary Construction and Conditional Easement Agreement, by and between the Department of

Transportation and FKL New London, LLC relating to land located at 2500 New London Turnpike in the Town of East Greenwich. Mr. Jackson explained that this Agreement will allow utilization of the access road to the Department's maintenance facility for ingress and egress for a newly proposed McDonald's restaurant. Mr. Jackson stated that the Department will receive \$9,828.00 in compensation for the Temporary Easement and \$5,000.00, per year, for the next five (5) years for the Conditional Easement. Mr. Jackson explained the logistics of the request and illustrated the location of the easements and the proposed McDonald's restaurant using a site map. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM S – Department of Transportation – A request was made for approval of a License Agreement, by and between the Department of Transportation and the City of Woonsocket to allow the City to hold a dedication ceremony at One Depot Square in the City of Woonsocket on May 19, 2012. Ms. Bernardo explained that the City of Woonsocket wishes to utilize one hundred (100) square feet of space to host a dedication ceremony. The City also wishes to erect a bronze sculpture of Hachiko, the well known Akita, and plant two (2) cherry trees. Ms. Bernardo stated that the cherry trees are being donated by the Japanese government for this occasion. The actual ceremony will be held on Saturday, May 19, 2012, and will be attended by both local and Japanese government officials. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM T– Department of Transportation – A request was made for approval of and signatures on the First Amendment to Temporary Easement Agreement, by and between the Pascoag Utility District and the Department for purposes of completing the Rehabilitation of the Pascoag Bridge No. 198 Project. Ms. Kerr explained that on April 27, 2011, the State Properties Committee granted the Department’s request for approval and execution of a Temporary Easement Agreement in conjunction with the above-referenced project. Ms. Kerr noted that due to unforeseen delays in both advertising and awarding the contract; the term of the Agreement was revised to compensate for said delays. Ms. Kerr stated that by agreement of the parties no additional compensation is associated with this request. Ms. Kerr respectfully requested the Committee’s approval and execution of the First Amendment to the Temporary Easement Agreement. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

The Committee may move to go into Executive Session, pursuant to Rhode Island General Law 42-46-5(a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purpose, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public relating to the following items:

A motion to enter into Executive Session was made by Mr. Griffith

and seconded

by Mr. Woolley.

A roll call vote was taken and the votes were as follows: Chairman Renaud voted “Aye,” Mr. Griffith voted “Aye,” and Mr. Woolley voted “Aye.”

After detailed discussions relating to Executive Session Items E1 and E2 concluded, a motion to return to the open session of the State Properties Committee meeting and to seal the Executive Session minutes until such time as said matters are resolved was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

Upon returning to open session at 11:15 a.m., the Committee proceeded to vote

relative to Items E1 and E2 presented in Executive Session:

ITEM E1 - Department of Transportation - A request was made for reauthorization to acquire property located on Kingfisher Road in the Town of Narragansett via a Warranty Deed and approval of and signatures on an Agreement to Purchase relative to said property. After discussion in Executive Session, a motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously ITEM E2 - Department of Transportation -

A request was made for a reauthorization to acquire easements by virtue of Condemnation Plat 2661 in conjunction with the Northwest

Bike Trail/Woonasquatucket River Bikeway Project (Contract 3) in the City of Providence. After discussion in Executive Session, a motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

There being no further business to come before the State Properties Committee, the meeting was adjourned at 11:16 a.m. The motion to adjourn was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

Holly H. Rhodes, Executive Secretary